

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26176 of 2015

Arising Out of PS.Case No. -58 Year- 2015 Thana -MAUZAHDIPUR District- BHAGALPUR

1. Rohit Kumar Son of Devi Lal Yadav

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Indu Bala Pandey(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since
28.04.2015 in a case registered for the offences punishable under
sections 366A/34 and 506 of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of
the informant. Subsequently, one Kundan Kumar and two others
came to the house of the informant and conveyed that his
daughter is safe.

It is submitted by learned counsel for the petitioner that
in 164 statement the victim got her as recorded as 19 years when
the learned court below assessed her age 17 years wherein she
has stated that she her own went in the company of the petitioner
as she was love with him since long and also married with the

petitioner. Moreover, the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-3 to the petition. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the 164 Cr.P.C. statement of the victim, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babbargunj) P.S. Case No.58 of 2015.

Ashwini/-

(Dinesh Kumar Singh, J)

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